

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

WILLIAM J. PANDOLFI,

Petitioner,

v.

3:07-cv-454

A.T. WALL, Director ACI,

Respondent.

MEMORANDUM AND ORDER

The court has received a motion to stay petition and an application to proceed *in forma pauperis*. The application to proceed *in forma pauperis* is **GRANTED**. The Clerk is **DIRECTED** to file this action without prepayment of costs or other fees as of the date the petition was received. However, for the reasons stated below, the respondent shall not be required to file an answer or other response to the pleading and this action is **DISMISSED**.

Petitioner's motion apparently refers to a habeas corpus petition he has pending in the United States District Court for the District of New Hampshire; a search of PACER reveals that he filed the same motion to stay petition in that case. *William J. Pandolfi v. RI Adult Correctional Facility, Director*, Civil Action No. 1:05-cv-165 (D. N.H. Nov. 23, 2007) (motion to stay petition). This court lacks jurisdiction to consider a motion to stay a habeas petition that is pending in another court. Accordingly, this action is **DISMISSED**.

ENTER:

s/ Thomas W. Phillips
United States District Judge